

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

MIKE YARBER, )  
vs. )  
Plaintiff, )  
vs. )  
MICHAEL ASTRUE, Commissioner, )  
Social Security Administration, )  
Defendant. )  
Case No. CIV-06-680-M

## ORDER

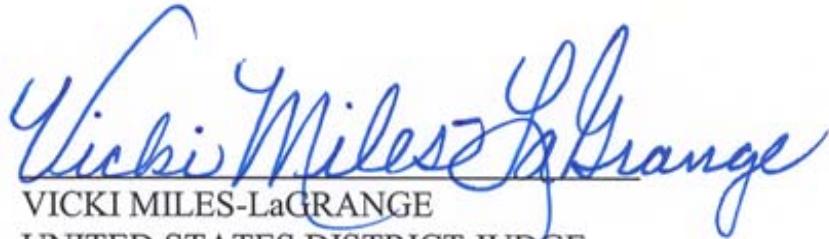
On March 28, 2007, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation in this action brought seeking judicial review of the final decision of the Commissioner of the Social Security Administration (“Commissioner”) denying plaintiff’s application for disability insurance benefits. The Magistrate Judge recommended the Commissioner’s decision be reversed and remanded for an award of disability insurance payments. The parties were advised of their right to object to the Report and Recommendation by April 18, 2007. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on March 28, 2007;
- (2) REVERSES the decision of the Commissioner;
- (3) REMANDS with directions for defendant to award disability insurance benefits to plaintiff; and

(4) ORDERS that judgment issue forthwith in accordance with the provisions of sentence four of 42 U.S.C. § 405(g).

**IT IS SO ORDERED this 21st day of May, 2007.**



VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE